

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,
Plaintiff

v.

JESUS SIERRA-TORO,
Defendant.

CRIMINAL NO.: 25-120 (FAB)

**UNITED STATES OF AMERICA'S MOTION FOR
PRELIMINARY FORFEITURE ORDER**

TO THE HONORABLE COURT:

COMES NOW, the United States of America and submits:

1. Defendant Jesus Sierra-Toro pled guilty to Count One of the Information pursuant to the plea agreement.
2. As part of his plea agreement, defendant agreed to forfeit his interest in All right, title, and interest in property Located at Carr. 181, Km. 2.2, Bo. Quemados, San Lorenzo, PR 00754, together with all improvements and appurtenances, which is more particularly described as follows:

RUSTIC: Lot identified with the number One (1) on the inscription plan, located in the Quemado Ward of San Lorenzo, Puerto Rico, composed of thirteen cents of a "cuerda"; equal to 509.04 square meters. Its boundaries are by the NORTH, with Carlos Cobian and Ramon Gomez, in a distance of 32.00 meters; by the SOUTH, with the lot marked with the number 2 on the inscription plan, in a distance of 32.00 meters; by the EAST, in a distance of 16.00 meters with an area dedicated to public use, which separates it from Luisa Gomez's land; and by WESR, in 16.00 meters with the main property.

Property No. 10468, recorded at page 246 of volume 199 of San Lorenzo, Registry of the Property of Caguas, Second Section, Puerto Rico, and

All right, title, and interest in 501 Calle Elisa Colberg Cond. Baldorioty Gardens Apt.

3-B, San Juan, PR 00907-2607, together with all improvements and appurtenances,

which is more particularly described as follows:

“Residential apartment on the third floor of the Baldorioty Gardens Condominium, at Baldorioty de Castro Avenue and Cerra Street, Santurce, San Juan, Puerto Rico, measuring twenty six feet five inches (26'5") wide equivalent to eight point zero eight (8.08) meters by twenty one feet two inches (21'2") long, equivalent to six point forty six (6.46) meters, with a superficial area of five hundred fifty seven (557.00) square feet, equivalent to eight point zero eight (8.08) meters, with exterior elements of the buildings and with the lot on which the building is erected; on the South, on a distance of twenty six feet five inches (26'5"), equivalent to eight point zero eight (8.08) meters, with apartment three-A (3-A) and the common hallway; on the East, on a distance of twenty three feet one inch (23'1"), equivalent to six point forty six (6.46) meters, with apartment three-A (3-A) and on the West, on a distance of twenty three feet one inch (23'1"), equivalent to six point forty six (6.46) meters with apartment three-C (3-C). The apartment consists of living room, dining room, kitchen, one bedroom, one bathroom and a balcony on its North side with an area of twenty-six (26) square feet, equivalent to two points forty one (2.41) meters. The apartment is equipped with a range, oven, water heater, stainless steel sink, refrigerator, and kitchen cabinets. The apartment has a main door connecting with the common hallway in the floor from where access may be gained to the exterior of the building and to the public street by the elevator and the stairways. The apartment has the right of parking number three-B (3-B). This apartment has a share of one point sixty-seven percent (1.67%) in the general common elements of the condominium and a share of fifteen-point fifty two percent (15.52%) in the restricted common elements.”

Property No 21539 recorded at page 81 of volume 601 of Santurce Norte, Registry of the Property of San Juan, First Section, Puerto Rico.¹ See ECF No. 3.

3. The United States is now seeking a Preliminary Forfeiture Order as to the properties.
4. Upon the issuance of a Preliminary Forfeiture Order, the United States will publish notice of the Order on the official government internet site, (www.forfeiture.gov), as required by 21 U.S.C. § 853(n). Notice of this Order will include notice of the United States Secret Service's (USSS) intent to dispose of the properties in a manner directed by the Attorney General. The United States will send direct notice to any person, having or claiming a legal interest in the properties, advising such person of his or her right to file a petition with the Court to contest the forfeiture in accordance with 21 U.S.C. § 853(n) and Rule 32.2(c) of the Federal Rules of Criminal Procedure. Copy of any petition should be served on Assistant United States Attorney, Daniel J. Olinghouse, within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice will state that any petition requested is to be for a hearing to adjudicate the validity of the petitioner's alleged interest in the properties; must be signed by the petitioner under penalty of perjury; and must set forth the nature and extent of the petitioner's rights,

^[1] The Court has jurisdiction pursuant to 18 U.S.C. § 981 and 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure to order the defendant, as part of her sentence, to forfeit the properties to the United States.

title, or interest in the forfeited properties, as well as any additional facts supporting the petitioner's claim and the relief sought.

WHEREFORE, the United States respectfully requests that this Court enter a Preliminary Forfeiture Order forfeiting the interest in the above-described properties and in addition, order USSS to maintain custody of the properties.

Respectfully submitted,

W. STEPHEN MULDROW
United States Attorney

s/Daniel J. Olinghouse
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused this filing to be presented to the Clerk of the court for filing and uploading to the CM/ECF system.

s/Daniel J. Olinghouse
Daniel J. Olinghouse
Assistant United States Attorney